

## REMARKS

The specification has been amended to provide antecedent basis for the term "skin" and for the term "envelope".

The claims 1-32 originally in the case have been rejected as either anticipated by Mechanic or Tepper or as being obvious in view of Mechanic taken in view of Moreno or Mechanic in view of Moreno, further in view of JP-614471, and further view of Tepper and Andrews.

Claims 31-32 have been cancelled and claims 33-38 substituted therefore.

Applicant's disclosure is of an inflatable protective cover for a surfboard 49 of the type of which is typically formed along its length with a wide central portion and has side rails which converge forwardly and inwardly as shown in Fig. 1 and also converge inwardly and rearwardly to a stern area 31. The inflatable cover device is in the form of an envelope which closely fits the forward portion of the surfboard and is closed along the sides thus leaving a rearwardly facing mouth 88 which, in the preferred embodiment, is circumscribed by inflatable lips as shown in Fig. 2 that are releasably fastened together by means of hook and pile connectors 85 and 86 as shown in Fig. 7. The envelope is formed of compartmentalized tubular sections which may be conveniently inflated for the purpose of providing a protective cover or maybe deflated for collapse of the envelope to a fully collapsed compact condition.

The envelope is constructed so as to maintain its form. This is accomplished by forming it with discrete tubular sections, such as the rail cushions 55 and 65 (Fig. 4) which are, when inflated of generally C-shaped cross sections to be disposed in embracing relationship with the respective rails 28 and 29, particularly along the forward section of the surfboard and then join at respective longitudinal walls 59 and 60, 69 and 70 which are heat sealed to confronting walls 39 and 49, and 40 and 90 formed by the lateral opposite sides of the respective top and bottom cushions 35 and 45. In this

manner, the envelope is formed with discrete tubular sections which cooperate when inflated, to complementally receive the surfboard in a complementally shaped interior compartment and to, when inflated, provide pneumatic cushioning entirely around the surfboard, along the opposite rails and the top and bottom surfaces thereof to forward protection against impact by exterior forces which might otherwise dent or scare the surface of the surfboard resulting in consequent deterioration in performance.

These features are brought out in, for instance, claim 33 which recites an envelope including top and bottom cushions, inflatable tubular side rail cushions connected between the top and bottom cushions and cooperating to form a surfboard compartment configured with a forward portion shaped complementally to receive the forward section of the surfboard and permanently closed along the opposite sides and leading rearwardly to a rearwardly disposed mouth which is operable for the insertion of the surfboard. The rails are further recited as being formed from flexible gas impervious walls configured to be, when inflated an the surfboard disposed in the compartment, distended to inflated configurations having C-shaped lateral cross sections in at least a forward section to complementally embrace the outboard edges of the side rails. The top and bottom cushions and side rail cushions are recited as cooperating to, when the side rails are inflated, constrained side rails laterally and inwardly against the side rails of the forward portion of the surfboard to maintain the envelope in position on the surfboard with the side rail cushions cushioning the side rails of the surfboard.

This construction should be contrasted with the prior art. As an example, Mechanic incorporates a surfboard bag configured with a zipper 27 about the periphery thereof and having its top and bottom sides configured with PE foam inserts 34 and 35 which appear to be self distendable. At the top of column 4, Mechanic describes the top and bottom paths 32 and 33 as including self-inflating mats 34 and 35 and also containing a layer of polyethylene foam 42. As described in Column 4, lines 44-47, the surfboard bag is configured so the valves 40 and 41 can be opened and the bag squeezed and depress so that the self-inflating foam mats 34 and 35 are evacuated and the valves 40

and 41 then close to prevent reentry of air. The mats are critical to the Mechanic invention as they perform the function of inflation and deflation and assist in providing the cushioning desired for the bag functioning as a sleeping bag. See Col. 4, lines 49-54. Protection of the surfboard is limited to the top and bottom sides and, in fact, the opposite side rails of the surfboard 30 shown in Fig. 3 of Mechanic appear to be relatively unprotected.

Moreno, rather than seeking to provide a self-inflating combination surfboard and sleeping bag, proposes a bag formed with an interior section having laterally opposed walls closed by zippers 9 (Fig. 5) which are covered exteriorly by flaps and cooperate in forming separate tunnels along the opposite sides of the bag, each of which receive respective inflatable tubes 3, 4 and 5 disposed in the tunnels but having cylindrical cross sections so that multiple tubes must be inflated separately to provide any type of cushioning along the side rails. Additionally, because the opposite sides of the surfboard converge inwardly both forwardly and rearwardly it is necessary that the bag be formed with separate top and bottom portions so that the covering segments may be placed over the surfboard and the zipper closed. This is a laborious and tedious task and the results thereof are dependent on inflation of three separate tubes and the positioning of those tubes thus adding to the challenge of housing the surfboard in a bag and providing protection against damage.

Nor is there any suggestion in the art of combining Mechanic and Moreno. Mechanic relies on foam pads to provide for self-inflating. Moreno relies on top and bottom covers zipped together somehow about the periphery and formed with multiple tubes captured in side tunnels to be inflated for protection. For Mechanic to redesign his bag to eliminate the self-inflation would be to eliminate the most important objection of his invention. Prior to Applicant's disclosure, there was no suggestion of redesigning Mechanic to add rail protection or of how that could be achieved without defeating his objective.

Nor are the Japanese references helpful in this regard. As an example the JP-614471 reference only discloses what appears to be a rigid container 2 having inflatable bladders therein to be selectively inflated for supporting a multisided object 1.

Tepper discloses a hard shell surfboard container 110 depicted in Figs. 8-10 which includes two halves 114 which are oval shaped and connected together by a hinge to be closed around the periphery by a pair of zippers 134. Again, Tepper teaches nothing which would suggest a closed end envelope to complementally fit a surfboard and house inflatable rail cushions around the periphery thereof to be held in position by the protecting device itself.

Claim 34 depends from claim 33 and is further restricted by the provision of inflatable lips defining the mouth at the rear extremity of the bag and having closure mechanism to close the bag. This configuration is totally contrary to Mechanic and Moreno who provide peripheral zippers which are necessary to the functioning of the device. To permanently close the opposite side of their bags with a mouth at the rear would render them inoperative for their intended purpose. Consequently, there is no suggestion in either of the references of providing inflated lips at the rear extremity of a bag of the configuration described in claim 34.

The claim 35 recites the bag as formed with the inflatable side cushions 55 and 65 that project parallel to one another rearwardly from the major transverse axis of the surfboard as shown in Fig. 1. Both Mechanic and Moreno teach bags oval in top plan view and fail so teach away from the limitations of claim 35.

Claim 36 recites the C-shaped in cross section rail cushions 55 and 65 and the welded connection of the ends of the C-shaped cross section at the respective upper and lower walls 59 and 60 and 69 and 70 with the opposite lateral ends of the respective top and bottom cushions, the nose cushion 73 and the pneumatic valves for controlling

inflation of the device. Mechanic is not concerned with protecting the side rails or nose of the surfboard. Moreno relies on the three inflatable tubes and specifically teaches away from rail cushions formed with single inflatable bladder arrangements connected with the top and bottom cushions along the longitudinal length thereof to provide structure and form to the inflated device. Mechanic provides form and structure by the extendable foam pads and provides peripheral zippers which define the converging rear and forward extremities of the bag to retain the tunnels in place along the peripheral edges for constraining the cylindrical tubes in position. This is contrary to Applicant's claimed construction.

Claim 37 is directed to a covering device including discrete inflatable cushions to define an envelope closed along its lateral sides, the pneumatic cushioning in the side rail cushions, all combined together to provide a tubular shaped envelope which can receive the surfboard without the peripheral zippers necessary in Moreno and Mechanic. Neither of the Japanese references is helpful in suggesting discrete tubular cushioning chambers cooperating to, upon being inflated, provide form to a surfboard bag and constraining inflatable tubular side rail cushions in place to protect the side rails against denting.

Claim 38 recites a surfboard protective device including an envelope configured to be received over the surfboard and including the side rail cushions configured to, and transverse cross section form the C-shape to embrace the opposite sides of the side rails and cooperating with bottom and top covers for constraining the inflated rail cushions against the rails themselves. In Moreno, the inflatable tubes are cylindrical in cross section and do not serve to embrace the rail edges so do not function in the same way as in Applicant's claimed construction to provide a protective device which is convenient to use in covering the bag and in inflation thereof to afford the desired protection.

From the foregoing, it will be appreciated that Applicant's have provided an inflatable surfboard bag which is inexpensive to manufacture, convenient to apply to the surfboard itself, avoids the necessity of peripheral zippers and fasteners which can be

complicated and inconvenient to close and which will provide reliable long term durable protection. The claims presently in the case are believed to clearly distinguish over the prior art are believed allowable. Accordingly, early notice thereof is respectfully solicited.

Respectfully submitted,

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